

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**SPECIAL SESSION
August 18, 2004**

The Board of Supervisors of Maricopa County, Arizona convened in Special Session at 1:30 p.m., August 18, 2004, in the Sullivan Conference Room, 301 W. Jefferson Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, District 1, Don Stapley, District 2, Max W. Wilson, District 4, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board, Shirley Million, Administrative Coordinator, David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

RECESS TO EXECUTIVE SESSION

Motion was made by Supervisor Brock, seconded by Supervisor Wilson, and unanimously carried that the Board recess into Executive Session for the purpose of reviewing matters listed below pursuant to the listed statutory references.

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; CONTRACTS SUBJECT TO NEGOTIATION – ARS §38-431.03(A)(3) and (A)(4)

1. **Provide legal advice on the change of sponsorship of the PIROG to St. Joseph's Hospital and discussion related to proposed contractual terms and indemnification request.**

Christopher Keller, Chief Counsel, Division of County Counsel

Tom Manos, Maricopa County Chief Financial Officer/Transition Team Leader

Tim Casey, Outside Counsel

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)

2. **Roy Krone, et al, v. County of Maricopa, et al; U.S. District Court No. CIV 03-0734-PHX-MHM**

Michael O'Connor, Attorney

Patrick Spencer, Claims Manager

John Moody, Attorney

Ted Howard, Senior Claims Adjuster

Peter Crowley, Risk Manager

3. **Shari Soboski, et al., v. Maricopa County, Arizona, et al.
Maricopa County Superior Court No. CV 2004-090141**

Richard A. Stewart, Deputy County Attorney

Patrick Spencer, Claims Manager

Peter Crowley, Risk Manager

Ted Howard, Senior Claims Adjuster

LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION; PURCHASE, SALE OR LEASE OF REAL PROPERTY – ARS §38-431.03(A)(3), (A)(4) and (A)(7)

4. **Sale of Downtown Real Estate**

Tom Manos, Chief Financial Officer

Dennis Lindsey, Real Estate Manager

Steve Connor, Director, Facilities Management

Terry Eckhardt, Deputy County Attorney

Joy Rich, Chief Regional Development Services Officer

5. **Downtown Real Estate (Surplus)**

Tom Manos, Chief Financial Officer

Dennis Lindsey, Real Estate Manager

Terry Eckhardt, Deputy County Attorney, Division of County Counsel

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PURCHASE, SALE OR LEASE OF REAL PROPERTY – ARS §38-431.03(A)(7)

6. ASU Sundome

William Scalzo, Chief Community Services Officer/Director, Parks & Recreation
Dennis Lindsey, Real Estate Manager
Charles Johnston, SAA
Kevin Costello, Deputy County Attorney, Division of County Counsel

STADIUM DISTRICT

LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION – ARS §38-431.03 (A)(3) AND (A)(4)

S-1. AZPB LP Transfer of Interest

Bill Scalzo, Director, Maricopa County Stadium District
Julie Schwiegert, Chief Financial Officer, MCSD
Bill Sims, Moyes, Storey, Outside Counsel
Paul Golab, Deputy County Attorney, Division of County Counsel

EXECUTIVE SESSION RECESSED OPEN SESSION RECONVENED

Reconvene in open session for discussion and/or action on the following items:

SETTLEMENT OF SOBOSKI v. MARICOPA COUNTY

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the settlement of Soboski v. Maricopa County, CV2004-090141 as discussed in Executive Session on August 18, 2004. (C75050021) (ADM409)

DEPUTY COUNTY ADMINISTRATOR, Health Care Mandates –

FILE A MOTION FOR RECONSIDERATION AND/OR A PETITION FOR REVIEW OF THE ARIZONA COURT OF APPEAL'S DECISION REGARDING JOHN C. LINCOLN HOSPITAL & HEALTH CORPORATION, et al v. MARICOPA COUNTY

Motion was made by Supervisor Wilcox, Seconded by Supervisor Wilson, and unanimously carried (5-0) to authorize counsel to prepare and file a motion for reconsideration and/or a petition for review of the Arizona Court of Appeal's decision in the matter of John C. Lincoln Hospital & Health Corporation, et al., v. Maricopa County, Case No. 1 CA-CV 03-0074. (Discussed in executive session on August 16, 2004). (C3905010M) (ADM413)

MEETING ADJOURNED

At the conclusion of discussion on the matters listed above, and there being no further business to come before the Board, the meeting was adjourned.

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board